



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.usplo.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/046,924	01/14/2002	Sylvaine Cases	UCAL-240CIP 4706		
24353	7590 09/16/2004		EXAMINER		
BOZICEVIC, FIELD & FRANCIS LLP 1900 UNIVERSITY AVE			HUTSON, RICHARD G		
SUITE 200			ART UNIT	PAPER NUMBER	
EAST PALO	ALTO, CA 94303	1652			
			DATE MAILED: 09/16/2004	DATE MAILED: 09/16/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action The period for repty expires Description Descript							
Examinor Richard G. Hutson Sichard G. Hutson 1552 -The MAILING DATE of this communication appears on the cover sheet with the correspondence address - THE REPLY FILED 17 August 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CPR 1.13 may only to either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal feet) or (3) a timely filed Request for Continued Examination (ReC) in compliance with 37 CPR 1.134. Examination (ReC) in compliance with 37 CPR 1.134. Examination (ReC) in compliance with 37 CPR 1.134. Examination (ReC) in compliance with 37 CPR 1.134. The petitod for reply expires		Application No.	Applicant(s)				
Examinar Richard G Hulson 1652	Advisory Action	10/046,924	CASES ET AL.				
THE REPLY FILED 17 August 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed of the application of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed of the application of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed of the final rejection. **PERIOD FOR REPLY** (check either a) or b)] **Description of the mailing date of the final rejection.** **PERIOD FOR REPLY** (check either a) or b)] **Description of reply expires on: (1) the mailing date of the final rejection. Whichever is later. In no event, however, will be eathory period for reply expires are many or be descripted on the state of the final rejection. Whichever is later. In no event, however, will be eathory period for reply expires are many or be compared under 37 CFR 1.1369. Or the date on which the petition under 37 CFR 1.1369 and the appropriate extension fee which the replication under 37 CFR 1.1369 and the appropriate extension fee have been filed is the date for purposes of determining the petited of editention and the corresponding amount of the fee. The appropriate extension fee under 1.01 according from: (1) the expiration date of the chromodo attainty period for reply registed by the Cffice later than three months after the mailing date of the filed within the period set for his 20 according from: (1) the expiration date of the chromodo attainty period for reply registed the sensition of the capture and the filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2 The proposed amendment(s) will not be entered because: (a) The proposed amendment of the filed period of the filed within the period set for the issues for appeal; and/or the	•	Examiner	Art Unit				
THE REPLY FILED 17 August 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A popilication in condition of allowance. (2) a timely filed amendment which places the application in condition for allowance. (2) a timely filed mendment with places the application in condition for allowance. (2) a timely filed mendment with 37 GFR 1.114. PERIOD FOR REPLY [check either a) or b) The period for reply expires		Richard G. Hutson	1652				
Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) a timely field amendment within places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. PERIOD FOR REPLY (check either a) or b) The period for reply expires or. (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no experiment of the period of the reply expire set the standard of the final rejection. ONLY CHECK This BOX WHEN THE RIST FREET WAS FILED WITHIN TWO MONTHS for the remaining date of the final rejection. ONLY CHECK This BOX WHEN THE RIST FREET WAS FILED WITHIN TWO MONTHS for the replication and replication of the final rejection of the period of the final rejection. ONLY CHECK This BOX WHEN THE RIST FREET WAS FILED WITHIN TWO MONTHS for the replication and rejection. ONLY CHECK This BOX WHEN THE RIST FREET WAS FILED WITHIN TWO MONTHS for The RIFNAL REJECTION. See MFEP 706.07(7). TREAT THE THIS IS CALLED THE THE THIS FILED WITHIN TWO MONTHS for The replication and replication of the section of the section of the many be obtained under 37 CFR 1.136(a) and the appropriate extension fee the home of the box date of the many for the section of the period of the file of the file of the scale the section of 10 and 10 a	The MAILING DATE of this communication appears on the cover sheet with the correspondence address						
a) The period for reply expiresmonths from the mailing date of the final rejection, or (2) the date set forth in the final rejection, whichever is later. In no event, however, with the statutory period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection. The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection. See MPEP 206.07()) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) as set forth in the period date of the mailing date of the three the period statutory period for reply originally set in the final Original extension for the three mailing date of the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(1) (1) the expiration date of the shortened statutory period for reply originally set in the final Origina (2) as each of the final rejection, even if timely filled, may reduce any exempt patent term adjustment. See 37 CFR 1.09(1) the Original original date of the final rejection, even if timely filled, may reduce any exempt patent term adjustment. See 37 CFR 1.09(1) the Original original original date of the final rejection, even if timely filled, may reduce any exempt patent term adjustment. See 37 CFR 1.09(1) the Original orig	Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued						
b) The period for regly expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection. Not. Nower, with set subtroy period for regly expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEAT THE FIRST REFLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 7007(f). Extensions of fine may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filted is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filted is the date for purposes of determining the period of extension and the corresponding mount of the fee. The appropriate extension fee when the period of the date for purposes of determining the period of certain and of the reply regionally set in the final Office action; or (2) as set forth in (3 certain and the purpose of the period p	PERIOD FOR REPLY [check either a) or b)]						
event, however, will the statutory period for reply expite later than SJX MONTHS from the mailing date of the final rejection. ONLY OFHECK THIS BOX WHEN THE FIRST REPLY WAS FILEO WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the feet. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the feet. The appropriate extension fee have been filed is the date for purposes of the final filed to the final rejection, even if timely filed, may reduce any earlies of the purpose of the filed filed to the final rejection, even if timely filed, may reduce any earlies of the purpose of the filed filed to the final rejection, even if timely filed, may reduce any earlies of the filed filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2. The proposed amendment(s) will not be entered because: (a) they raise new issues that would require further consideration and/or search (see NOTE below); (b) they raise new issues that would require further consideration and/or search (see NOTE below); (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they are not deemed to place the application in the proposed of the place of the filed period of the filed period of the filed period of the filed period of the filed peri	a) The period for reply expiresmonths from the mailing date of the final rejection.						
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension of the tock the date for purposes of determining the petited of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.136(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in 0, above, if checked, Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filled, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 1 A Notice of Appeal was filled on 10 August 2004. Appellant's Brief must be filled within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2 The proposed amendment(s) will not be entered because: (a) they raise new issues that would require further consideration and/or search (see NOTE below); (b) they raise the issue of new matter (see Note below); (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. 3 Applicant's reply has overcome the following rejection(s):	event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP						
37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2	have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any						
(a) ☑ they raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. 3. ☐ Applicant's reply has overcome the following rejection(s): 4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. ☑ The a] ☐ affidavit, b) ☐ exhibit, or c) ☑ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☑ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s) Richard G Hulson, Ph.D. Primary Examiner All Unit: 1652	1. A Notice of Appeal was filed on 10 August 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
(b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. 3. ☐ Applicant's reply has overcome the following rejection(s): 4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable if submitted in a separate, timely filed amendment canceling the submitted in a separate, timely filed amendment canceling the submitted in a separate, timely filed amendment canceling the submitted in a separate, timely filed amendment canceling the submitted in a separate, timely filed amendment canceling the submitted in a separate, timely filed amendment canceling to submitted in a separate, timely filed amendment canceling to submitted in a separate, timely filed amendment canceling to submitted in a separate, timely	2. The proposed amendment(s) will not be entered because:						
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. 3. ☐ Applicant's reply has overcome the following rejection(s): 4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. ☑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☑ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☑ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1.2.7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	(a) Ithey raise new issues that would require further consideration and/or search (see NOTE below);						
issues for appeal; and/or (d) they present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. 3. Applicant's reply has overcome the following rejection(s): 4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) rejected: 1,2,7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. The drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)	(b) ☐ they raise the issue of new matter (see Note below);						
NOTE: See Continuation Sheet. 3. □ Applicant's reply has overcome the following rejection(s): 4. □ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. □ The a)□ affidavit, b)□ exhibit, or c)□ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. □ For purposes of Appeal, the proposed amendment(s) a)□ will not be entered or b)□ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. □ The drawing correction filed on is a) □ approved or b)□ disapproved by the Examiner. 9. □ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652							
 3. □ Applicant's reply has overcome the following rejection(s): 4. □ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. □ The a) □ affidavit, b) □ exhibit, or c) □ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. □ For purposes of Appeal, the proposed amendment(s) a) □ will not be entered or b) □ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1,2,7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. □ The drawing correction filed on is a) □ approved or b) □ disapproved by the Examiner. 9. □ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652 	(d) \square they present additional claims without canceling a corresponding number of finally rejected claims.						
 4. □ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s). 5. □ The a) □ affidavit, b) □ exhibit, or c) □ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. □ For purposes of Appeal, the proposed amendment(s) a) □ will not be entered or b) □ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed:	NOTE: See Continuation Sheet.						
canceling the non-allowable claim(s). 5. □ The a □ affidavit, b □ exhibit, or c □ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. □ For purposes of Appeal, the proposed amendment(s) a) □ will not be entered or b) □ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: □ Claim(s) objected to: □ Claim(s) objected to: □ Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. □ The drawing correction filed on □ is a) □ approved or b) □ disapproved by the Examiner. 9. □ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). □ Claim(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	3. Applicant's reply has overcome the following rejection(s):						
application in condition for allowance because: See Continuation Sheet. 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☑ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1.2.7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)	4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).						
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection. 7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☑ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1.2.7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	5. ☑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☑ request for reconsideration has been considered but does NOT place the						
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1.2.7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. ☐ The drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner. 9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly						
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1,2,7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. The drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)	☐ For purposes of Appeal, the proposed amendment(s) a)☐ will not be entered or b)☒ will be entered and an						
Claim(s) objected to: Claim(s) rejected: 1,2,7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. The drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)	The status of the claim(s) is (or will be) as follows:						
Claim(s) rejected: 1,2,7-10 and 24-27. Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. The drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	Claim(s) allowed:						
Claim(s) withdrawn from consideration: 3-6 and 11-23. 8. The drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	Claim(s) objected to:						
8. The drawing correction filed on is a) approved or b) disapproved by the Examiner. 9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s)	Claim(s) rejected: 1,2,7-10 and 24-27.						
9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). 10. Other: Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	Claim(s) withdrawn from consideration: 3-6 and 11-23.						
9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s) Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	☐ The drawing correction filed on is a)☐ approved or b)☐ disapproved by the Examiner.						
10. Other: Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	<u> </u>						
Richard G Hutson, Ph.D. Primary Examiner Art Unit: 1652	10. Other:						
Primary Examiner Art Unit: 1652	Koth Ahrl						
			Primary Examiner				

U.S. Patent and Trademark Office PTOL-303 (Rev. 11-03)

Application No.

_Continuation Sheet (PTOL-303) 110/046,924

Continuation of 2. NOTE: Applicants proposed amendment of claims 1 and 27 changing the claimed genus from those polynucleotides having 90% sequence identity to those having 95% and 98% sequence identity, respectively, would necessitate further consideration and search after final rejection.

Continuation of 5. does NOT place the application in condition for allowance because: the rejections of record remain given the non-entry of applicants proposed amendment for the reasons previously stated.